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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/546,347	04/07/2000	Brian M. Perry	2766.1001-001	2092

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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<h1>Office Action Summary</h1>	Application <u>09/576347</u>	Applicant(s) <u>Perry</u>	
	Examiner <u>Akers, J</u>	Art Unit <u>3624</u>	Confirmation No.

- The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 2/11/03
- ☒ This action is **FINAL**. ☐ This action is non-final.
- ☐ Since this application is in condition for allowance except for the formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-59 is/are pending in this application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-59 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved or ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.
- ☐ The drawing(s) filed on _____ is/are ☐ accepted or ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d) or (f).
- ☐ All ☐ Some* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- *Certified copies not received:

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- ☐ The translation of the foreign language provisional application has been received.
- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 8, 9
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

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DETAILED ACTION

Response to Amendment

1. This action is issued in response to applicant's Amendment A(Paper #7) filed 3/11/03.
2. All independent claims were amended. New claims 44-59 were added.No claims were deleted.
3. Claims 1-59, incorporating amended claims 1,11, 23,38,41-43 including newly added claims 44-59 are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-59 are rejected under 35 USC 103(a) as unpatentable over Huang(5,953,707) in view of Muraoka(US Pat. 6,317,725) and further in view of Maxwell(US Pat. No: 6,195,643).
6. As per claims 1-59 Huang teaches a method of monitoring a supply chain activity(Abstract) of a plurality of sites(Fig 2)(Fig 1)(Fig 8)(Fig 46) on a network(Fig 46/406)(Fig 47) and extracting supply related data to be monitored(Fig 5) and collecting this data(col 9 lines 64-col 11 line 15) and uploading this data to a user at a user interface(Fig

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3/40).Furthermore, Huang teaches a DSS architecture(Decision Support System) to analyze supply chain efficiencies(col 4 line 45-col 6 line 57).Huang also teaches demand and forecast data(Fig 12/146/148) for the process as well as forecasting and planning (Fig 15) as well as a relational database(Fig 17)(Fig 19/216) and data sets comprising inventory data(Fig 19/182)(Fig 17/182) and legacy databases(Fig 16/136)(Fig 14/136)(Fig 13/136).Huang teaches delivery scheduling(Fig 20/212) and replenishment planning(Fig 23/270) as well as all vendor management of replenishment and participation(Fig 24) as well as a distribution network(Fig 27) and heirarchichal sorting(Fig 37) as well as node structures for components, production, inventory, demand(Fig 38) and graphical user display(Fig 43)(Fig 45) of selected domains for status checking(Fig 39) as well as table updating and data display in a tree view(Fig 39) and encrytion online with an SQL server(Fig 47) as well as user authorization procedures(Fig 48) and scenario studies(Fig 54) and estimated behavior to anticipate any shortages or surpluses(Figs 64-67) as well as capacity checking(Fig 61) that is displayed to a user and which would constitute an alert condition(Fig 55).Huang does not specifically teach periodic prediction loads over time. Maraoka teaches periodic prodiction loads over time(Fig 12/S4/S3) and load calculations(Fig 10) and determination if a target goal is achieved(Fig 12/S9)(Fig 7) or else is in an allowable range to determine surpluses and shortfalls(Fig. 13/S11) and accompanying corrections(Fig 13/S12).Huang does also not specifically teach triggering events. Maxwell teaches utilizing triggering events at time periods and data collection centers(Abstract)(col 4 line 40-col 7 line 20). It would have been obvious to one skilled in the art at the time of the invention to combine

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Huang in view of Maraoka to teach the above. The motivation to combine is to teach a novel efficient production management system capable of discerning between currently urgently needed target products and non urgently need products for the future and to take the necessary corrective actions as enunciated by Maraoka(col 3 lines 17-36). Furthermore, it would also have been obvious to one skilled in the art at the time of the invention to combine Huang in view of Maraoka and further in view of Maxwell to teach applicant's invention. The motivation to combine is to teach a decision support system as enunciated by Maxwell(col 1 lines 54-61) as applied to a supply chain.

Response to Arguments

7. Applicant's arguments with respect to claims 1-59 have been considered but are moot in view of the further ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the further ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

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1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

GRA

May 16, 2003

DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER